

# WORK PARTICIPATION

## Implementing the DRA:

DRA WP Provisions Effective 10/1/2006

Final Rule Effective 10/1/2008

# 3 Key Points about DRA 2005:

- Define what constitutes work
- Determine when non-recipient parents must be in the work participation rate calculation
- Establish and maintain work verification procedures and internal controls

# Qualified Aliens

- Include refugees & Cuban/Haitian entrants
- Exempt from the 5-year bar on receipt of Federal TANF assistance (applicable to qualified aliens entering U.S. on or after 8/22/96)
- May receive State-funded assistance & services
- Must meet programmatic requirements

# Work-Eligible Individuals Must Participate in Work Activities

- Adult (or minor child head of h/h) receiving **TANF** or **SSP-MOE** funded assistance; and,
- Non-recipient parent l/w a child receiving assistance, unless the parent is:
  - ✓ a minor parent & not the head of h/h
  - ✓ a non-citizen who is ineligible for assistance due to his/her immigration status
  - ✓ At State option on a case-by-case basis, a SSI recipient

# Excludes

- A parent providing care for a disabled family member living in the home, if there is a medically documented need for the parent to remain in the home to care for the disabled family member;
- At State option on a case-by-case basis, a parent who receives Social Security disability benefits.
- An individual receiving MOE-funded assistance under an approved Tribal TANF program, unless the State opts to include the Tribal TANF family in the State's WP rates.

# Potential Funding Options

**Federal TANF Funds**

**State MOE Funds**

**TANF Grant**

**Commingled  
State &  
Federal  
TANF**

**Segregated  
State TANF**

**Separate  
State  
Program**

**TANF PROGRAM**

**Transfer to:  
CCDF & SSBG**



# Hours of Participation Unchanged

All families	30 hours average weekly requirement, first 20 in a core activity
2-parent family	35 hours combined average weekly requirement, first 30 in a core activity
2-parent family	55 hrs. combined average/week, first 50 in a core activity, if receiving federally subsidized child care & an adult in the family is not disabled or caring for a disabled child



# Participation

- Travel to & from work or training sites does not count toward participation.
- Participation = Actual hours, not estimated hours.
- States may report projected actual hours of participation in paid work activities for up to 6 months based on current documented actual hours of work
- States count actual hours of self-employment by dividing the individual's gross income minus business expenses by the Federal minimum wage.



# Work Activities



# Work Activities

9 CORE	3 NON-CORE
Unsubsidized employment	Job skills training directly related to employment
Subsidized private employment	Education directly related to employment
Subsidized public employment	Attendance at secondary school/GED program
Work experience	
On-the-job training	
Job search/job readiness assistance	
Community service	
Vocational educational training	
Providing child care for an individual in community service	

# Definition of Core Activities

- **Unsubsidized employment:** full or part-time employment in the public or private sector that is not subsidized by TANF or any other public program. (Includes self-employment)

# Definition of Core Activities

- **Subsidized private employment:** employment in the private sector for which the employer receives a subsidy from TANF or other public funds to offset some or all of the wages and costs of employing an individual.
- **Subsidized public sector employment:** employment in the public sector for which the employer receives a subsidy from TANF or other public funds to offset some or all of the wages and costs of employing an individual.



# Definition of Core Activities

- **Work experience:** a work activity performed in return for welfare, that provides an individual with an opportunity to acquire the general skills, knowledge, and work habits necessary to obtain employment. The purpose of work experience is to improve the employability of those who can't find unsubsidized full-time employment.
- **On-the-job training:** training in the public or private sector that is given to a paid employee while s/he is engaged in productive work and that provides knowledge and skills essential to the full and adequate performance of the job.

# Definition of Core Activities

- **Job search/job readiness:** the act of seeking or obtaining employment, preparation to seek or obtain employment, including life skills training, and substance abuse treatment, mental health treatment, or rehabilitation activities. Such treatment or therapy must be determined to be necessary and documented by a qualified health professional.
  - ✓ May include domestic violence services that directly relate to preparing for employment
  - ✓ Does not include ESL
  - ✓ States may count travel time between interviews, but not travel time to the first interview or time spent returning home.

# Job Search/Readiness Limitation

- **Job search/job readiness may count for a maximum of 6 weeks (12 weeks if a needy State), with no more than 4 consecutive weeks.**
  - ✓ Any participation in this activity does not count for 7 consecutive days that immediately follow 4 consecutive weeks in which the State reports any hours of participation.
  - ✓ Hourly equivalent for 6-week limit:
    - A week = 20 hrs. for those with a 20 hr/wk requirement;
    - A week = 30 hrs. for those with a 30 hr/wk requirement;
    - 6 weeks = 120 or 180 hrs; double for States that get 12 wks
    - Calculated over preceding 12 months



# Definition of Core Activities

- **Community service:** structured programs and embedded activities in which individuals perform work for the direct benefit of the community under the auspices of public or nonprofit organizations. Limited to projects that serve a useful community purpose in fields such as health, social service, environmental protection, education, urban & rural redevelopment, welfare, recreation, public facilities, public safety, and child care.

# Definition of Core Activities

- **Vocational educational training** (not to exceed 12 months): organized educational programs that are directly related to the preparation of individuals for employment in current or emerging occupations.
  - ✓ May include participation in a baccalaureate, master's or doctoral degree program.
  - ✓ Basic skills education and ESL may count as long as it is a necessary or regular part of vocational education training. Neither may be a stand-alone program.

# Definition of Core Activities

- **Providing child care services to an individual who is participating in a community service program:** providing child care to enable another TANF or SSP recipient to participate in a community service program. This is an unpaid activity and must be a structured program designed to improve the employability of individuals who participate in this activity.
  - ✓ In a two-parent family, one parent can't count as participating by providing child care for his or her own child while the other parent participates in community service.

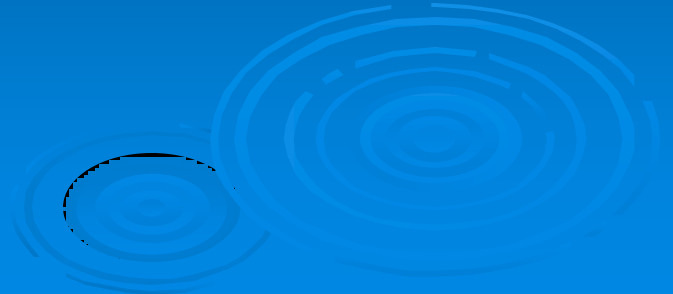
# Definition of Non-Core Activities

- **Job skills training directly related to employment:** training or education for job skills required by an employer to provide an individual with the ability to obtain employment or to advance or adapt to the changing demands of the workplace.
- **Satisfactory attendance at secondary school or in a course of study leading to a certificate of general equivalence:** Applicable to a work-eligible individual who has not completed secondary school or received such a certificate, and means regular attendance (per the requirements of the secondary school or course of study) at a secondary school or in a course of study leading to a certificate of general equivalence.

# Definition of Non-Core Activities

- **Education directly related to employment:** Applicable to a work-eligible individual who has not received a high school diploma or certificate of high school equivalency, and means education related to a specific occupation, job, or job offer.
  - ✓ Adult basic education, remedial education, and ESL may count as a stand-alone activity.
  - ✓ Statute limits this activity to individuals who have not received a H.S. diploma or equivalency. But, some immigrants & refugees may have received a H.S. diploma from other countries that may not be directly comparable with an American H.S. diploma, or verifiable. Therefore, we gave States the flexibility to determine on a case-by-case basis whether such individuals qualify for this activity.

# Other Points



# Supervision

- Daily, for unpaid activities
- Daily supervision does not have to involve daily, in-person contact
- Daily supervision means that a responsible party has daily responsibility for oversight of an individual's participation



# All Educational Activities

- May count time spent in distance learning (must fit in the work activity definition and include supervision).
- May count supervised homework time & up to 1 hour of unsupervised homework time for each hour of class time. Total homework time counted may not exceed the hours required or advised by a particular educational program.

# Excused Absences

- **Paid work activities:** actual hours of participation may include the hours for which a work-eligible individual was paid, including paid holidays and sick leave.
- **Unpaid activities:** participation may include hours missed for:
  - ✓ Up to 10 holidays per year (can differ from State to State), and
  - ✓ Up to 80 hours of additional excused absences per work-eligible individual in a 12-month period (not to exceed 16 hours in a month).

# Documentation

- Each individual's hours of participation for the month must be supported via documentation in the case file.
- Electronic records permitted.
- States must describe in its approved work Verification Plan, the documentation it uses to monitor participation & ensure that it reports accurate hours of participation.

